

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**CHRISTOPHER EVERETT
ADC #101234**

PLAINTIFF

v.

Case No. 3:20-cv-00309-KGB-JTR

DYKES, Corporal, NCU, *et al.*

DEFENDANTS

ORDER


Before the Court is a Partial Recommended Disposition submitted by United States Magistrate Judge J. Thomas Ray on November 3, 2020 (Dkt. No. 4). No objections were filed, and the time for filing objections has passed. After review of the Partial Recommended Disposition, the Court concludes that the Partial Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

Plaintiff Christopher Everett may proceed with his claims against defendants Corporal Dykes, Sergeant Ian Ward, Warden Pierce, Warden Nurzuhul Faust, Sergeant Alexander Delgado, Major Keith Day, and ADC Director Dexter Payne, in their individual capacity, and Mr. Everett's complaint shall be served on these defendants (Dkt. No. 2). The Court dismisses without prejudice Mr. Everett's claims against defendants in their official capacities. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

The Clerk is directed to prepare a summons for separate defendants Dykes, Ward, Pierce, Faust, Delgado, Day, and Payne. The United States Marshal is directed to serve the summons and the complaint (Dkt. No. 2), and this Order, on these separate defendants through the Arkansas Department of Corrections Compliance Division without prepayment of fees and costs or security

therefor.¹

It is so ordered this 1st day of February, 2021.



Kristine G. Baker
United States District Judge

¹ If any defendant is no longer employed by the ADC, the individual responding to service must file a sealed statement providing the unserved defendant's last known private mailing address.